

JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

CHAIRMAN:
Judge John G. Heyburn II
United States District Court
Western District of Kentucky

MEMBERS:
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Judge J. Frederick Motz
United States District Court
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United States District Court
Northern District of Indiana

Judge Kathryn II. Vratil
United States District Court
District of Kansas

Judge David R. Hansen
United States Court of Appeals
Eighth Circuit

Judge Anthony J. Scirica
United States Court of Appeals
Third Circuit

DIRECT REPLY TO:

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July 16, 2007

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JUL 20 2007

AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
BY DEPUTY

William T. Walsh, Clerk
1050 Mitchell H. Cohen U.S. Courthouse
400 Cooper Street
Camden, NJ 08102

Re: MDL-1850 -- IN RE Pet Food Products Liability Litigation

(See Attached CTO-1)

Dear Mr. Walsh:

I am enclosing a certified copy and one additional copy of a conditional transfer order filed by the Panel in the above-captioned matter on June 28, 2007. As stipulated in Rule 7.4(a) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), transmittal of the order has been stayed 15 days to give any party an opportunity to oppose the transfer. The 15-day period has now elapsed, no opposition was received, and the order is directed to you for filing.

The Panel's governing statute, 28 U.S.C. §1407, requires that the transferee clerk "...transmit a certified copy of the Panel's order to transfer to the clerk of the district court from which the action is being transferred."

A list of involved counsel is attached.

Very truly,

Jeffery N. Lüthi
Clerk of the Panel

By Thomas J. Hartman
Deputy Clerk

COT-575 COT-684
COT-576 COT-685
COT-577
COT-634
COT-666
COT-647
COT-668
COT-669
COT-670

Attachment

cc: Transferee Judge:
Transferor Judges:
Transferor Clerks:

Judge Noel L. Hillman
(See Attached List of Judges)
(See Attached List of Clerks)



07-CV-00575-BCST

JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

JUN 28 2007

FILED
CLERK'S OFFICE

DOCKET NO. 1850

BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

IN RE PET FOOD PRODUCTS LIABILITY LITIGATION

(SEE ATTACHED SCHEDULE)

CONDITIONAL TRANSFER ORDER (CTO-1)

On June 19, 2007, the Panel transferred 12 civil actions to the United States District Court for the District of New Jersey for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. See F.Supp.2d (J.P.M.L. 2007). With the consent of that court, all such actions have been assigned to the Honorable Noel L. Hillman.

It appears that the actions on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the District of New Jersey and assigned to Judge Hillman.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the District of New Jersey for the reasons stated in the order of June 19, 2007, and, with the consent of that court, assigned to the Honorable Noel L. Hillman.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the District of New Jersey. The transmittal of this order to said Clerk shall be stayed 15 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 15-day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:



Jeffrey N. Lüthi
Clerk of the Panel

Inasmuch as no objection is pending at this time, the stay is lifted.

JUL 16 2007

CLERK'S OFFICE
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

**SCHEDULE CTO-1 - TAG-ALONG ACTIONS
DOCKET NO. 1850
IN RE PET FOOD PRODUCTS LIABILITY LITIGATION**

<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>
ARKANSAS EASTERN ARE 4 07-376	Scott Stacey, et al. v. Nestle SA, et al.
ARKANSAS WESTERN ARW 4 07-4036 ARW 5 07-5065	Kirby Cooper v. Menu Foods Income Fund, et al. Sandra L. Gray, et al. v. Menu Foods, et al.
CALIFORNIA CENTRAL CAC 2 07-1987 CAC 2 07-2060 CAC 2 07-2253 CAC 2 07-2338 CAC 2 07-2476 CAC 2 07-2779 CAC 2 07-2964 CAC 5 07-398	Paul Randolph Johnson, et al. v. Menu Foods, Inc., et al. Dawn Howe v. Menu Foods Ltd., et al. Lois Grady, et al. v. Menu Foods Income Fund, et al. Kelly Finestone v. Menu Foods, Inc., et al. Richard Chamberlain v. Nestle SA, et al. Ken Wahl, et al. v. Menu Foods Income Fund, et al. Jayne Englander, et al. v. Menu Foods Income Fund, et al. Dennis Lee Townscnd, et al. v. Menu Foods Ltd., et al.
CALIFORNIA EASTERN CAE 2 07-654	Cheryl Carver v. Del Monte Foods Co., et al.
CALIFORNIA NORTHERN CAN 3 07-1809 CAN 3 07-2665	Sherry Ingles v. Menu Foods, Inc., et al. Diane Lowery v. Menu Foods Income Fund, et al.
CALIFORNIA SOUTHERN CAS 3 07-705 CAS 3 07-706 CAS 3 07-734 CAS 3 07-951	Robert Payne, et al. v. Menu Foods, Inc., et al. Diane Swarberg v. Menu Foods Holding, Inc., et al. Hayley Ford, et al. v. Menu Foods Income Fund, et al. John Colliard v. Menu Foods, Inc., et al.
COLORADO CO 1 07-736	Emily Tompkins v. Menu Foods Midwest Corp., et al.
FLORIDA MIDDLE FLM 2 07-235 FLM 6 07-803	Maria Teresa Ferrarese v. Menu Foods, Inc., et al. George Birney, et al. v. Menu Foods, Inc.
FLORIDA SOUTHERN FLS 1 07-20955	Stephen Donnelly, et al. v. Menu Foods, Inc., et al.
IDAHO ID 1 07-160	Larry Klimes, et al. v. Menu Foods
ILLINOIS NORTHERN ILN 1 07-2162 ILN 1 07-2183 ILN 1 07-2211 ILN 1 07-2237	Heather Amro v. Menu Foods Income Fund, et al. Gary Bruski v. Menu Foods, Inc., et al. Raymond Demith, et al. v. Nestle Purina Petcare Co., et al. Sonja Foxe v. Menu Foods, Inc., et al.

SCHEDULE CTO-1 - TAG-ALONG ACTIONS (MDL-1850)

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<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>
MASSACHUSETTS MA 1 07-10745 MA 1 07-10797	Lidia Rodrigues v. Menu Foods, Inc., et al. Megan Connerton, et al. v. Menu Foods Midwest Corp., et al.
MAINE ME 2 07-54	Mara Brazilian v. Menu Foods Income Fund, et al.
MINNESOTA MN 0 07-1808 MN 0 07-2108	Stephanie Rozman v. Menu Foods Midwest Corp., et al. Wendy Krosschell v. Menu Foods Income Fund, et al.
MISSOURI WESTERN MOW 3 07-5041	Richard Schwinger v. Menu Foods, et al.
MISSISSIPPI SOUTHERN MSS 5 07-105	Sarah Cavin v. Menu Foods, et al.
NEVADA NV 2 07-686 NV 3 07-159	<u>Maragaret Picus v. Wal-Mart Stores, Inc., et al.</u> Opposed 7-16-07 Marion Streczyn v. Menu Foods, Inc., et al.
NEW YORK SOUTHERN NYS 1 07-3236	Mark Cashman, et al. v. Menu Foods Midwest Corp., et al.
OHIO NORTHERN OHN 1 07-1018	Gregory Boehm v. Menu Foods, Inc., et al.
PENNSYLVANIA MIDDLE PAM 1 07-929	Dixie Keller v. Menu Foods Ltd., et al.
RHODE ISLAND RI 1 07-115	Carol Brown v. Menu Foods, Inc., et al.
TENNESSEE EASTERN TNE 3 07-98	Barbara Light v. Menu Foods Income Fund
WASHINGTON WESTERN WAW 2 07-575 WAW 2 07-576 WAW 2 07-577 WAW 2 07-634 WAW 2 07-666 WAW 2 07-667 WAW 2 07-668 WAW 2 07-669 WAW 2 07-670 WAW 2 07-684 WAW 2 07-685	Laura Migliore v. Menu Foods Gail Moran v. Menu Foods Sheryl Puett v. Menu Foods Daniel Ray Reeves v. Menu Foods Sheree A. Robinson v. Menu Foods Phyllis A. Ullman v. Menu Foods Elizabeth Palmer v. Menu Foods Jason Labbate v. Menu Foods Megan Whitt v. Menu Foods Linda Weitz v. Menu Foods Michelle Adams v. Menu Foods

SCHEDULE CTO-1 - TAG-ALONG ACTIONS (MDL-1850)

PAGE 3 OF 3

<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>
WAW 2 07-686	Lerac Djineen v. Menu Foods
WAW 2 07-687	Sandra Shingle v. Menu Foods
WAW 2 07-688	Gary Thomas v. Menu Foods
WAW 2 07-689	Deborah A. Mullen v. Menu Foods
WAW 2 07-690	Helen Percy v. Menu Foods
WAW 2 07-745	Paula Monk v. Menu Foods
WAW 2 07-746	Tony Boyer v. Menu Foods
WAW 2 07-747	Norman Brenton v. Menu Foods
WAW 2 07-748	Lynda Nagel v. Menu Foods
WAW 2 07-749	Teresa Eilers v. Menu Foods
WAW 3 07-5204	Jeff Rusiecki v. Menu Foods
WAW 3 07-5205	Nancy Guthrie v. Menu Foods
WISCONSIN WESTERN	
WIW 3 07-159	Jacqueline Johnson v. The Procter & Gamble Co., et al.
WIW 3 07-248	Penny J. Roberts, et al. v. Menu Foods Income Fund, et al.

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DOCKET NO. 1850

IN RE PET FOOD PRODUCTS LIABILITY LITIGATION

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DOCKET NO. 1850
IN RE PET FOOD PRODUCTS LIABILITY LITIGATION

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Hon. George Herbert King U.S. District Judge Edward R. Roybal Federal Bldg. & Courthouse 255 East Temple Street Los Angeles, CA 90012	Hon. John E. Steele U.S. District Judge 2-194 U.S. Courthouse & Federal Building 2110 First Street Ft. Myers, FL 33901
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Hon. Ralph R. Beistline U.S. District Judge United States District Court 292 Federal Building and United States Courthouse 222 West Seventh Avenue Anchorage, AK 99513	Hon. Joan A. Lenard U.S. District Judge Federal Courthouse Square 301 North Miami Avenue Miami, FL 33128
Hon. Maxine M. Chesney U.S. District Judge Phillip Burton U.S. Courthouse 19th Floor 450 Golden Gate Avenue San Francisco, CA 94102-3434	Hon. Mikel H. Williams U.S. Magistrate Judge Federal Building & U.S. Courthouse, MSC 040 550 West Fort Street Boise, ID 83724
Hon. Elizabeth D. Laporte U.S. Magistrate Judge 15-6588 Phillip Burton U.S. Courthouse 450 Golden Gate Avenue San Francisco, CA 94102	Hon. Wayne R. Andersen U.S. District Judge 1486 Everett McKinley Dirksen U.S. Courthouse 219 South Dearborn Street Chicago, IL 60604

INVOLVED JUDGES LIST (CTO-1) MDL-1850

PAGE 2 OF 3

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Hon. Sarah W. Hays
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INVOLVED JUDGES LIST (CTO-1) MDL-1850

PAGE 3 OF 3

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Michael W. Dobbins, Clerk
Everett McKinley Dirksen
U.S. Courthouse
219 South Dearborn Street
Chicago, IL 60604

Sarah Thornton, Clerk
Clerk's Office - Attn: Sherry Jones
U.S. District Court
595 Main Street
Worcester, MA 01608

Linda L. Jacobson, Clerk
Edward T. Gignoux U.S.
Courthouse
156 Federal Street
Portland, ME 04101

Richard Sletten, Clerk
202 U.S. Courthouse
300 South Fourth Street
Minneapolis, MN 55415

Patricia L. Brune, Clerk
2710 Charles Evans Whittaker
U.S. Courthouse
400 E. Ninth Street
Kansas City, MO 64106

J.T. Noblin, Clerk
316 James O. Eastland U.S.
Courthouse
245 East Capitol Street
Jackson, MS 39201

Lance S. Wilson, Clerk
Bruce R. Thompson U.S. Ctse.
& Fed. Bldg., Suite 301
400 South Virginia Street
Reno, NV 89501

J. Michael McMahon, Clerk
Daniel Patrick Moynihan U.S.
Courthouse
500 Pearl Street
New York, NY 10007-1312

Gerri M. Smith, Clerk
United States District Court
2-161 Carl B. Stokes U.S. Courthouse
801 West Superior Avenue
Cleveland, OH 44113

Mary E. D'Andrea, Clerk
P.O. Box 983
Harrisburg, PA 17108-0983

David A. DiMarzio, Clerk
356 John O. Pastore Federal Building
Two Exchange Terrace
Providence, RI 02903

Patricia L. McNutt, Clerk
130 Howard H. Baker Jr. U.S.
Courthouse
800 Market Street
Knoxville, TN 37902

Bruce Rifkin, Clerk
U.S. Courthouse
700 Stewart Street
Seattle, WA 98101

Joseph W. Skupnicwitz, Clerk
U.S. District Court
P.O. Box 432
Madison, WI 53701-0432